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**NO FEE – GOV'T CODE § 6103**

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

15 THE PEOPLE OF THE STATE OF CALIFORNIA,

16 Plaintiff,

17 vs.

18 RAFAEL IRYAMI, an individual; and DOES 1  
 19 through 50, inclusive,

20 Defendants.

Case No.:

**COMPLAINT FOR ABATEMENT  
AND INJUNCTION**

[HEALTH & SAFETY CODE  
SECTION 11570, *ET SEQ.*; CIVIL  
CODE SECTION 3479, *ET SEQ.*;  
BUS. & PROF. CODE SECTION  
17200, *ET SEQ.*]

[Unlimited Action]

1 PLAINTIFF, THE PEOPLE OF THE STATE OF CALIFORNIA, alleges as follows:

2 **I. INTRODUCTION**

3 1. Plaintiff, the People of the State of California ("Plaintiff" or the "People"), are  
4 compelled to bring and prosecute this action ("Action") to abate an ongoing narcotics- and  
5 gang-related public nuisance that exists at a two-level, eight-unit apartment complex located in  
6 South Los Angeles, which has been the site of numerous drug sales and two 2019 shootings,  
7 one fatal. The apartment complex (the "Property"), which has a commonly known address of  
8 7427 South Figueroa Street, Los Angeles, California 90003, and the activity there, pose an  
9 immediate threat to the safety and welfare of the surrounding community, and unless the  
10 People secure the relief sought here, the narcotics trafficking and related violence at the  
11 Property will continue to endanger this neighborhood. This Action is brought pursuant to the  
12 Narcotics Abatement Law ("NAL"), California Health and Safety Code section 11570, *et seq.*;  
13 the Public Nuisance Law ("PNL"), California Civil Code sections 3479 and 3480; and the Unfair  
14 Competition Law ("UCL"), California Business and Professions Code section 17200, *et seq.*

15 2. For at least the past year and up to the present date, the Property has been  
16 controlled and used by the 74 Hoovers ("Hoovers"), a criminal street gang, to conduct  
17 continual narcotics sales and commit violent crime there. Members of the gang "claim" the  
18 Property as their own by maintaining a constant presence there. They frequently park their  
19 vehicles in a red zone directly in front of the entrance and "hang out" on the Property's  
20 staircases and in its courtyard. Gang members and their associates keep firearms while there,  
21 either on their person or in their vehicles nearby. They control who comes onto the Property,  
22 which is gated, and conduct blatant narcotics transactions there, even going so far as to  
23 openly "cut" their cocaine (i.e., adulterate with other substances) on the Property's exterior  
24 stairwell before selling it in the courtyard. They also use an unlocked storage closet as well as  
25 the mailboxes to stash narcotics for easy access. Los Angeles Police Department ("LAPD")  
26 officers have attempted on various occasions to gain access to the Property to investigate  
27 crime reports, but the gang members and associates controlling the front gate routinely deny  
28 them entry. The gang members have converted the Property into their own personal fortress,

1 to insulate themselves from law enforcement as they carry out their illicit activities.

2         3.       The narcotics activity at the Property has been and remains rampant. Through  
3 its use of a testifying informant wearing concealed video and audio equipment ("Testifying  
4 Informant"), LAPD was able to purchase rock cocaine from the Property at least eight (8) times  
5 between October 2018 and August 2019, with the most recent purchase occurring on or about  
6 August 1, 2019, in the Property's courtyard. The Hoovers' presence at the Property has also  
7 made it an epicenter for gun violence. For instance, on April 22, 2019, a Hoovers gang  
8 member who sold drugs at the Property was shot and killed while standing in the Property's  
9 courtyard. His murder did nothing to halt the rampant narcotics sales at the Property, as the  
10 Testifying Informant purchased narcotics at least three more times from different sellers at the  
11 Property. On May 21, 2019, a Hoovers gang member attempted to murder someone on the  
12 Property with a firearm following an argument. The argument ended with a hail of gunfire as  
13 the victim and his companion ran down the street while the gang member shot at them from  
14 the Property. LAPD recovered at least 13 spent casings from the scene.

15         4.       The above-captioned defendant, Rafael Iryami ("Defendant Rafael Iryami" or  
16 "Defendant"), owns, controls, and manages—either directly or through duly appointed  
17 agents—the Property, and is ultimately responsible for its lawless and disorderly state.  
18 Defendant has held title to the Property since at least June 13, 2014. Given the tell-tale signs  
19 of the above-described narcotics and other criminal activity there, particularly within the last  
20 year, Defendant knew or should have known of the nuisance at his Property and taken steps to  
21 remediate it. Defendant failed to do so. Ultimately, Defendant's lack of oversight and failure to  
22 implement adequate remedial measures and other "best" management practices—like  
23 enhanced lighting, video monitoring, independent professional property management, a  
24 resident manager or responsible tenant, and security guards or patrols, among other  
25 measures—have caused the Property to become a stronghold for narcotics distribution and  
26 gang-related violent crime.

27         5.       In filing suit against Defendant, the People seek remedial measures that are  
28 feasible and necessary to contain the threat to public safety emanating from the Property.

1 Defendant owns the Property, and is legally obligated to take reasonably adequate steps to  
2 safeguard it and prevent and/or abate the narcotics trafficking and violent crime there. His  
3 failure to do so has given rise to a serious nuisance—a per se one at that under the NAL.  
4 Accordingly, through this Action, the People seek to compel Defendant to reform and  
5 rehabilitate the Property so as to redress the dangers that exist there; to make the Property  
6 inhospitable to narcotics activity; and to make the Property safe for its residents and the  
7 nearby community.

## 8 **II. THE PARTIES AND THE PROPERTY**

### 9 **A. The Plaintiff**

10 6. Plaintiff, the People, is the sovereign power of the State of California designated  
11 in California Health and Safety Code section 11571 and California Code of Civil Procedure  
12 section 731 to be the complaining party in actions brought to abate, enjoin, and penalize  
13 narcotics nuisances and public nuisances, respectively. Furthermore, the City of Los Angeles  
14 has a population in excess of 750,000, and as such, California Business and Professions Code  
15 section 17204 authorizes Plaintiff, the People, to prosecute actions for relief under California  
16 Business and Professions Code section 17200, *et seq.* for unlawful competition.

### 17 **B. The Defendant**

18 7. Defendant Rafael Iryami, an individual, owns the Property and has owned since  
19 at least June 13, 2014.

20 8. The true names and capacities of defendants sued herein as Does 1 through 50,  
21 inclusive, are unknown to Plaintiff, who therefore sues said defendants by such fictitious  
22 names. Each such defendant is responsible in some manner for conducting, maintaining, or  
23 directly or indirectly permitting the unlawful activities and acts complained of herein. When the  
24 true names and capacities of said defendants have been ascertained, Plaintiff will seek leave  
25 of Court to amend this complaint and to insert in lieu of such fictitious names the true names  
26 and capacities of said fictitiously named defendants.  
27  
28

1           **C.     The Property**

2           9.     The Property's commonly known address is 7427 South Figueroa Street, Los  
3 Angeles, California 90003, and its legal description is as follows: "Lot 128 of the Figueroa  
4 Boulevard Tract, in the City of Los Angeles, County of Los Angeles, State of California, as per  
5 Map recorded in Book 10, Page 132 of Maps, in the Office of the County Recorder of said  
6 County, excepting therefrom the east 20 feet condemned for widening Figueroa Street, and all  
7 oil, gas, minerals, and other hydrocarbon substances lying below a depth of 500 feet, without  
8 the right of surface entry," with Assessor's Parcel Number 6020-024-017.

9                           **III.     THE NARCOTICS ABATEMENT LAW**

10          10.    The abatement of a nuisance is a long established and well-recognized exercise  
11 of the state's police power. (*People v. Barbieri* (1917) 33 Cal.App.770, 775; *People ex rel.*  
12 *Hicks v. Sarong Gals* (1974) 42 Cal.App.3d 556, 563.) Since its enactment in 1972, the  
13 principal purpose of the NAL is the abatement of buildings and places "used for the purpose of  
14 unlawfully selling, serving, storing, keeping, manufacturing, or giving away any controlled  
15 substance, precursor, or analog specified in this division . . . ." (Health & Saf. Code § 11570.)

16          11.    The NAL provides that every building or place used for the purpose of unlawfully  
17 selling, serving, storing, keeping, manufacturing, or giving away any controlled substance,  
18 precursor, or analog *inter alia*, "is a nuisance which **shall** be enjoined, abated, and prevented .  
19 . . whether it is a public or private nuisance." (Health & Saf. Code § 11570 [emphasis added];  
20 *People ex rel Lungren v. Peron* (1997) 59 Cal.App.4th 1383, 1389; *Lew v. Superior Court*  
21 (1993) 20 Cal.App.4th 866, 870-871.)

22          12.    Health and Safety Code section 11571 authorizes a city attorney to bring an  
23 action to abate, prevent, and perpetually enjoin such nuisances. It provides in relevant part:  
24 "Whenever there is reason to believe that a nuisance as described in Section 11570 is kept,  
25 maintained, or exists in any county, the district attorney of the county, or the city attorney of  
26 any incorporated city or of any city and county, in the name of the people, may . . . maintain an  
27 action to abate and prevent the nuisance and perpetually to enjoin the person conducting or  
28

maintaining it, and the owner, lessee, or agent of the building or place in or upon which the nuisance exists from directly or indirectly maintaining or permitting the nuisance.”

13. Health and Safety Code section 11573, subdivision (a) provides that: “If the existence of the nuisance is shown in the action to the satisfaction of the court or judge, either by verified complaint or affidavit, the court or judge **shall** allow a temporary restraining order or injunction to abate and prevent the continuance or recurrence of the nuisance.” (Emphasis added.) In addition, Health and Safety Code section 11581 provides, as an additional remedy, for the removal and sale of all fixtures and movable property on the premises used in aiding and abetting the nuisance and for the closure of the building for up to one year.

#### IV. THE PUBLIC NUISANCE LAW

14. “Abatement of nuisances is a long established and well recognized exercise of the state's police power.” (*People ex rel. Hicks v. Sarong Gals* (1974) 42 Cal.App.3d 556, 563; *People ex rel. Bradford v. Barbieri* (1917) 33 Cal.App. 770, 775-778.) Civil Code section 3479 defines a nuisance as “[a]nything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. . . .” (See *City of Bakersfield v. Miller* (1966) 64 Cal.2d 93, 99 [“The Legislature has defined in general terms the word 'nuisance' in Civil Code section 3479. . . .”].)

15. Civil Code section 3480 defines a public nuisance as “one which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.”

16. In particular, drug dealing, loitering, consumption of alcohol and illegal drugs, and boisterous conduct which creates a hooligan-like “atmosphere” constitutes a public nuisance. (*People ex rel. Gallo v. Acuna* (1997) 14 Cal.4th 1090, 1120.)

17. Under Civil Code section 3491 provides that the “remedies against a public nuisance are: 1. Indictment or information; 2. A civil action; or 3. Abatement.” Abatement is “accomplished by a court of equity by means of an injunction proper and suitable to the facts of each case.” (*Sullivan v. Royer* (1887) 72 Cal. 248, 249.)



1           18. Code of Civil Procedure section 731 authorizes a city attorney to bring an action  
2 to enjoin or abate a public nuisance. It provides, in pertinent part, "A civil action may be  
3 brought in the name of the people of the State of California to abate a public nuisance . . . by  
4 the city attorney of any town or city in which the nuisance exists." (*Ibid.*)

5                                   **V. UNFAIR COMPETITION LAW**

6           19. The practices forbidden by the Unfair Competition Law, codified at Business and  
7 Professions Code section 17200, *et seq.*, include any practices forbidden by law, be it criminal,  
8 federal, state, municipal, statutory, regulatory, or court-made. As the California Supreme Court  
9 has explained, the UCL "'borrows' violations of other laws and treats them as unlawful  
10 practices independently actionable under section 17200 *et seq.*" (*South Bay Chevrolet v.*

11 *General Motors Acceptance Corp.* (1999) 72 Cal.App.4th 861, 880 [internal citations omitted]).)

12           20. As proscribed by the UCL, "[a]n 'unlawful business activity' includes anything that  
13 can properly be called a business practice and that at the same time is forbidden by law."

14 (*People v. McKale* (1979) 25 Cal.3d 626, 632.) Moreover, the UCL casts a broad net. "Any  
15 person performing or proposing to perform an act of unfair competition may be enjoined . . . ."

16 (Bus. & Prof. Code § 17203; emphasis added.) The term "person" includes "natural persons,  
17 corporations, firms, partnerships, joint stock companies, associations and other organizations  
18 of persons." (Bus. & Prof. Code § 17201.) The courts have expanded section 17200's net  
19 beyond direct liability to include common law doctrines of secondary liability where the liability  
20 of each defendant is predicated on his or her personal participation in the unlawful practices.

21 (*People v. Toomey* (1985) 157 Cal.App.3d 1, 14; *Emery v. Visa Int'l Service Ass'n* (2002) 95  
22 Cal.App.4th 952, 960.)

23           21. Civil actions under the UCL may be brought in the name of the People of the  
24 State of California by any city attorney of a city having a population in excess of 750,000 (Bus.  
25 & Prof. Code § 17204), such as the City of Los Angeles. A public entity can sue pursuant to  
26 section 17200 based on violations of its own municipal code, state law, or other local  
27 ordinance. (*People v. Thomas Shelton Powers, M.D., Inc.* (1992) 2 Cal.App.4th 330, 338-  
28 339.)

1           22. Defendants engaging in violations of the UCL may be enjoined in any court of  
2 competent jurisdiction. (Bus. & Profs. Code § 17203.) A court may make such orders or  
3 judgments, including the appointment of a receiver, as may be necessary to prevent the use or  
4 employment by any person of any practice constituting unfair competition. (*Id.*)

5           23. Although no case has specifically been called upon to define the term “business”  
6 in section 17200, courts have frequently given a broad reading to the provisions of the UCL so  
7 as to effect its broad remedial purposes. (See, e.g., *Barquis v. Merchants Collection Ass’n*  
8 (1972) 7 Cal.3d 94, 111-113.) An enterprise engaged entirely in criminal conduct such as the  
9 manufacture of illegal drugs or obscene matter is a business for purposes of section 17200.  
10 (*People v. EWAP, Inc.* (1980) 106 Cal.App.3d 315, 320-321.) Moreover, recent amendments  
11 to section 17200 make clear that even a single act of misconduct can constitute a violation of  
12 the UCL. (*Klein v. Earth Elements, Inc.* (1997) 59 Cal.App.4th 965, 969.)

13           24. Further, the ownership and operation of a rental apartment complex is,  
14 axiomatically, a business. (See *People ex rel. City of Santa Monica v. Gabriel* (2010) 186  
15 Cal.App.4th 882, 888 (“The renting of residential housing is a business”); see also *Barquis v.*  
16 *Merchants Collection Ass’n*, (1972) 7 Cal.3d 94, 111-113 (giving a broad meaning of the UCL  
17 so as to effect its broad remedial purposes).) Thus, when a landowner conducts, maintains, or  
18 permits the existence of a nuisance on the premises of such a business in violation of the NAL  
19 or PNL, the landowner has also violated the UCL. (See *San Francisco v. Sainez* (2000) 77  
20 Cal.App.4th 1302, 1323.)

21  
22           **VI. FIRST CAUSE OF ACTION FOR NARCOTICS ABATEMENT**

23                   **[Health and Safety Code Section 11570, et seq. --**

24                   **Against All Defendants and Does 1 through 50]**

25           25. Plaintiff hereby incorporates by reference paragraphs 1 through 24 of this  
26 Complaint and makes them part of the First Cause of Action, as if fully alleged herein.  
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1           26.     The Property has been used, from an exact date unknown but since at least  
2 2018, and is currently being used for the purposes of unlawfully selling, serving, storing,  
3 keeping, manufacturing, or giving away controlled substances in violation of Health and Safety  
4 Code section 11570, *et seq.* The Property has a well-known reputation within the community  
5 as a place where drugs are regularly bought and sold.

6           27.     Defendant, and Does 1 through 50, are responsible for conducting, maintaining,  
7 and/or directly or indirectly permitting the nuisance as alleged herein. Plaintiff has no plain,  
8 speedy, and adequate remedy at law, and unless Defendant and Does 1 through 50 are  
9 restrained and enjoined by order of this Court, they will continue to use, occupy, maintain, or  
10 permit, directly or indirectly, the use, occupation and maintenance of the Property for the  
11 nuisance complained of herein, to the great and irreparable damage of the public.

12                   **VII.   SECOND CAUSE OF ACTION FOR PUBLIC NUISANCE**

13                               **[Civil Code Section 3479, *et seq.* --**

14                                       **Against All Defendants and Does 1 through 50]**

15           28.     Plaintiff incorporates by reference Paragraphs 1 through 27 of this Complaint and  
16 makes them part of this Second Cause of Action as though fully alleged herein.

17           29.     Since at least 2018 to the present, the Property has been owned, operated,  
18 occupied, used, and/or directly or indirectly permitted to be occupied and used, in such a  
19 manner as to constitute a public nuisance in violation of Civil Code sections 3479 and 3480.  
20 The public nuisance, as described herein, is injurious to health, indecent or offensive to the  
21 senses, and/or an obstruction to the free use of property, so as to substantially and  
22 unreasonably interfere with the comfortable enjoyment of life or property by those persons  
23 living in the surrounding community. The public nuisance at and around the Property consists  
24 of, but is not limited to: illegal narcotics sales, storage, and/or distribution; murder; attempted  
25 murder; shootings; and the threatening and disorderly presence of gang members.

26           30.     Defendant, who owns and/or controls the Property, and Does 1 through 50, knew  
27 or should have known about the nuisance activity at the Property, but nevertheless failed to  
28 take reasonable steps to prevent or abate it. As a result of this failure and their

1 mismanagement of the Property, Defendant and Does 1 through 50 have caused and/or  
2 contributed to a serious threat to the general health, safety, and welfare of the law-abiding  
3 tenants at the Property and persons in the surrounding community.

4 31. Unless Defendant, and Does 1 through 50, are restrained and enjoined by order  
5 of this Court, they will continue to use, occupy, maintain, or permit, directly or indirectly, the  
6 use, occupation, and maintenance of the Property for the purpose complained of herein, to the  
7 great and irreparable damage of Plaintiff.

8 **VIII. THIRD CAUSE OF ACTION FOR UNFAIR COMPETITION**

9 **[Business and Professions Code Section 17200, et seq. --**

10 **Against All Defendants and Does 1 through 50]**

11 32. Plaintiff hereby incorporates by reference paragraphs 1 through 31 of this  
12 Complaint and makes them part of this Third Cause of Action, as if fully alleged herein.

13 33. The ownership and operation of a multi-family apartment building, such as the  
14 Property, wherein residential units are rented out to different tenants for occupancy, is a  
15 business. When the owner of such a business violates the NAL and/or PNL such that a  
16 nuisance exists and flourishes at the business' premises, as set forth herein, it is also a  
17 violation of the UCL.

18 34. Defendant and Does 1 through 50 have violated the UCL by engaging in the  
19 following unlawful or unfair business acts and practices: conducting, maintaining, and/or  
20 permitting, directly or indirectly, narcotics activity at the Property in violation of the NAL as  
21 alleged herein; and/or conducting, maintaining, and/or permitting, directly or indirectly,  
22 narcotics and other gang-related criminal and/or nuisance activity at the Property, as alleged  
23 herein, in violation of the PNL.

24 35. Plaintiff has no adequate remedy at law, and unless Defendant and Does 1  
25 through 50 are restrained by this Court they will continue to commit unlawful business  
26 practices or acts, thereby causing irreparable injury and harm to the public's welfare.  
27  
28

**PRAYER**

**WHEREFORE, PLAINTIFF PRAYS THAT THIS COURT ORDER, ADJUDGE AND  
DECREE AS FOLLOWS:**

**AS TO THE FIRST CAUSE OF ACTION**

1. That Defendant, Does 1 through 50, and the Property, be declared in violation of Health and Safety Code section 11570, *et seq.*

2. That the Court order Defendant, as owner of the Property, to reside in the Property until the nuisance is abated, in accordance with Health and Safety Code section 11573.5.

3. That the Property, together with the fixtures and moveable property therein and thereon, be found to constitute a public nuisance and be permanently abated as such in accordance with Health and Safety Code section 11581.

4. That the Court grant a preliminary injunction, permanent injunction, and order of abatement in accordance with Health and Safety Code section 11570, *et seq.*, enjoining and restraining Defendant and Does 1 through 50 and their agents, officers, directors, members, managers, grantees, lessees, assigns, transferees, heirs, successors-in-interest, employees, and anyone acting on his behalf from unlawfully selling, serving, storing, keeping, manufacturing, or giving away controlled substances, or directly or indirectly permitting the same, at the Property.

5. That the Court order physical and managerial improvements to the Property in accordance with Health and Safety Code section 11573.5, and such orders as are otherwise appropriate, to remedy the nuisance at the Property and enhance the abatement process, including but not limited to, the following: an internet-connected, remotely monitorable video surveillance system accessible by LAPD; improved lighting; sufficiently secure gating and fencing; improved screening of tenants; the retention of armed, licensed security guards; and a prohibition on known, non-resident gang members accessing the Property.

6. That as part of the Judgment, an Order of Abatement be issued, and that the Property be closed for a period of one year, not to be used for any purpose, and be under the

1 control and custody of this Court for said period of time, or, in the alternative, if the Court  
2 deems such closure to be unduly harmful to the community, that Defendant and Does 1  
3 through 50 pay an amount equal to the fair market rental value of the Property for one year to  
4 the City or County in whose jurisdiction the nuisance is located in accordance with Health and  
5 Safety Code section 11581 subdivision (c)(1).

6 7. That Defendant and Does 1 through 50 each be assessed a civil penalty in an  
7 amount not to exceed twenty-five thousand dollars (\$25,000.00).

8 8. That all fixtures and moveable property used in conducting, maintaining, directly  
9 or indirectly permitting, or aiding or abetting the nuisance at the Property be removed by the  
10 LAPD and sold in the manner provided for the sale of chattels under execution. Said fixtures  
11 and property shall be inventoried and a list shall be prepared and filed with this Court.

12 9. That there shall be excepted from said sale such property to which title is  
13 established in some third party not a defendant, nor an agent, officer, employee, or servant of  
14 any defendant in this proceeding.

15 10. That the proceeds from said sale be deposited with this Court for payment of the  
16 fees and costs of sale. Such costs may include: costs incurred in closing said Property and  
17 keeping it closed; costs incurred in removing said fixtures and movable property; Plaintiff's  
18 costs incurred in this Action, including attorneys' fees; and such other costs as the Court shall  
19 deem just and proper.

20 11. That if the proceeds of the sale do not fully discharge all such costs, fees, and  
21 allowances, the Property shall also be sold under execution issued upon the order of the Court  
22 and the proceeds of such sale shall be applied in a like manner. Any excess monies  
23 remaining after payment of approved costs shall be delivered to the owner of said Property.  
24 Ownership shall be established to the satisfaction of this Court.

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1           12. That Defendant and Does 1 through 50, together with their agents, officers,  
2 directors, members, managers, grantees, lessees, transferees, successors-in-interest,  
3 employees, and anyone acting on their behalf, and their respective heirs and assigns, be  
4 perpetually enjoined from transferring, conveying, or encumbering any portion of the Property,  
5 for consideration or otherwise, without first obtaining the Court's prior approval.

6           13. That Defendants and Does 1 through 50 be ordered to notify immediately any  
7 prospective transferees, purchasers, commercial lessees, or other successors-in-interest to  
8 the subject Property of the application for or existence of any temporary restraining order,  
9 preliminary injunction, or permanent injunction against Defendants or Does 1 through 50,  
10 before entering into any agreement to sell, commercially lease, or transfer any portion of the  
11 Property, for consideration or otherwise.

12           14. That Defendant and Does 1 through 50 be ordered to immediately give a  
13 complete, legible copy of any temporary restraining order, preliminary injunction, or permanent  
14 injunction entered against them to all prospective transferees, purchasers, commercial  
15 lessees, or other successors-in-interest to the Property.

16           15. That, before selling or transferring any interest in the Property, Defendant and  
17 Does 1 through 50 be ordered to (1) request and procure signatures from all prospective  
18 transferees, purchasers, lessees, or other successors-in-interest to the subject Property,  
19 acknowledging their respective receipt of a complete, legible copy of any temporary restraining  
20 order, preliminary injunction, or permanent injunction entered against Defendants, and (2)  
21 deliver a copy of such acknowledgment to the Los Angeles City Attorney's Office, c/o Deputy  
22 City Attorney Rahi Azizi or his designee.

23           16. That Plaintiff recover the costs of this Action, including law enforcement  
24 investigative costs and any fees, including attorneys' fees, authorized by law, not to exceed  
25 \$1,000,000.00, from Defendant and Does 1 through 50, jointly and separately.

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1                                   AS TO THE SECOND CAUSE OF ACTION

2           1.     That the Property, together with the fixtures and moveable property therein and  
3 thereon, be declared a public nuisance and be permanently abated as such in accordance with  
4 Civil Code section 3491.

5           2.     That Defendant and Does 1 through 50, together with their agents, officers,  
6 directors, members, managers, grantees, lessees, transferees, successors-in-interest,  
7 employees, and anyone acting on their behalf, and their respective heirs and assigns, be  
8 preliminarily and perpetually enjoined from operating, managing, maintaining, occupying,  
9 using, or directly or indirectly permitting the use of the Property in such a manner that  
10 constitutes or gives rise to a public nuisance. Such orders should include but not be limited to  
11 physical and managerial improvements to the Property, the appointment of a receiver to carry  
12 out the Court's orders, and such other orders as are appropriate to remedy the nuisance at the  
13 Property and enhance the abatement process.

14          3.     That Plaintiff be awarded such costs as may it incur in abating said nuisance at  
15 the Property and such other costs as the Court shall deem just and proper.

16          4.     That Plaintiff be granted such other and further relief as the Court deems just and  
17 proper, including closure and/or demolition of the Property.

18                                   AS TO THE THIRD CAUSE OF ACTION

19          1.     That Defendant and Does 1 through 50 be declared in violation of Business and  
20 Professions Code section 17200.

21          2.     That Defendant and Does 1 through 50, together with their agents, officers,  
22 directors, members, managers, grantees, lessees, transferees, successors-in-interest,  
23 employees, and anyone acting on their behalf, and their respective heirs and assigns, be  
24 permanently enjoined from committing, maintaining, or directly or indirectly permitting any  
25 unlawful or unfair business acts or practices in violation of Business and Professions Code  
26 section 17200.

27          3.     That the Court grant a preliminary and/or permanent injunction prohibiting  
28 Defendant and Does 1 through 50, together with their agents, officers, directors, members,



1 managers, grantees, lessees, transferees, successors-in-interest, employees, and anyone  
2 acting on their behalf, and their respective heirs and assigns, from engaging in the unlawful or  
3 unfair acts or practices described herein at the Property and in the City of Los Angeles. Such  
4 orders should require that physical and managerial improvements be made to the Property.

5 4. That, pursuant to Business and Professions Code section 17206, Defendant and  
6 Does 1 through 50 each be assessed a civil penalty of \$2,500.00 for each and every act of  
7 unfair competition. Since Defendant and Does 1 through 50 have engaged in a continuing  
8 nuisance, each day constitutes an act of unfair competition and each defendant should  
9 individually be assessed a civil penalty not to exceed \$4,000,000.00.

10 5. That, pursuant to the Court's equitable power and Business and Professions  
11 Code section 17203, the Court make such orders or judgments, including any orders  
12 authorizing the appointment of a receiver, to eliminate the unlawful or unfair competition  
13 alleged herein.

14 AS TO ALL CAUSES OF ACTION

15 1. That Plaintiff recover the amount of the filing fees and the amount of the fee for  
16 the service of process or notices which would have been paid but for Government Code  
17 section 6103.5, designating it as such. The fees may, at the Court's discretion, include the  
18 amount of the fees for certifying and preparing transcripts.

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1           2.       That Plaintiff be granted such other and further relief as the Court deems just and  
2 proper.

3  
4 DATED: August 7, 2019

Respectfully submitted,

5 MICHAEL N. FEUER, City Attorney  
6 JONATHAN CRISTALL, Assistant Supervising City  
7 Attorney  
8 LIORA FORMAN-ECHOLS, Asst. Superv. Deputy City  
9 Attorney

10 By:



11 RAHI AZIZI

12 Attorneys for Plaintiff, THE PEOPLE OF THE  
13 STATE OF CALIFORNIA  
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